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ABSTRACT

The implementation of corrective action to improve low-performing schools and school districts has varied across the nation from verbal reprimands to state and private takeover. Currently, 34 states have formal plans for corrective action. Although little evaluation of the effectiveness of these actions on improving student and school performance has occurred, some evidence indicates a positive impact on student performance. Accountability mechanisms include school and district report cards, the use of achievement test data, and attendance and dropout rates. Low-performing schools can receive various types of aid from state or outside sources. Sanctions can range from reconstitution to school/district takeover by the state or by a private entity. The following should be considered when establishing corrective action: strong leadership at the school site is essential; successful rebuilding appears to require a very clear break with past practices; high expectations and collective responsibility for student learning must be of central importance in the rebuilding effort; professional development and capacity-building are the keys to success; and the role of the district and state leadership is pivotal in determining the success of reconstituted schools. The report concludes with three tables characterizing corrective action mechanisms, assistance, and sanctions in practicing states. (RT)

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Corrective Action in Low-Performing Schools and School Districts

By Zena H. Rudo, Ph.D.

The implementation of corrective action to improve low-performing schools and school districts has varied across the nation from verbal reprimands to state and private takeover. Currently, 34 states have formal plans for corrective action; many initiated over the past three years (see Table 1). Other states have outlined corrective action plans to be implemented between 2002 and 2004, in conjunction with new or revised accountability policies. Unfortunately, little evaluation of the effectiveness of these actions on improving student and school performance has occurred. However, the experiences of several states with school accountability systems that have a written action plan and use rewards and sanctions have begun to indicate student performance can be positively impacted.

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Accountability Systems

All 34 states with corrective action plans have established mechanisms to report their accountability to the public, most often via school and/or district report cards. Thirty of the 34 states have instituted a student performance accountability system that ranks its schools/districts based on achievement test data, 23 of which have incorporated additional indicators such as attendance or dropout rates (see Table 1). The ranking systems generally have three or more categories, with at least one category clearly identified for unacceptable or low performance. Ranking systems range from schools receiving a letter grade or numeric score to being labeled terms such as exemplary, average, academic warning, or in need of improvement.

Six states, five of which have corrective action plans in place, base their accountability system on school accreditation policies[1] (see Table 1). An additional 11 states link their accreditation to the established accountability system as one possible sanction, i.e., a school may lose its accreditation if it remains low-performing for two or more years.

Assistance

In each of the 34 states with established corrective action plans, improvement plans for increasing student performance are established by schools/districts designated as low-performing (see Table 2). In some schools, staff engage in a self-study to determine their strengths and needs in order to develop an improvement plan (see Table 2). Low-performing schools and school districts can receive assistance from the state, i.e., technical assistance, internal review, and/or staff development (see Table 2). Some schools or districts receive additional funding to obtain these types of assistance from outside sources. External assistance may be provided from experts in the field, practice or research teams, and/or public comment (see Table 2). Much of this assistance is provided after a low-performing school or district shows no improvement for more than one year after their initial designation. Those that show no significant improvement after two years, sometimes longer in several states, may then face established sanctions.

Sanctions

In 1999, the vast majority of states ratified new legislation or amended previous legislation to hold schools and school districts accountable for student performance. At this time, state policies, whether through legislation or education regulations, identified a number of sanctions for low-performing schools/districts in addition to the potential loss of accreditation (see Table 3). These include reconstitution, public or private takeover, students attending different schools, and voucher programs. Florida is the only state that links its performance ratings to a voucher program. The constitutionality of this program has been challenged in the courts and no decision to continue or discontinue the program has yet been made. Thirteen states allow students in low-performing schools to transfer to other public schools, often providing the funds for these students' transportation. Reconstitution and school/district takeover have been seen as a last resort and, in most states, have not been implemented.

Reconstitution

Although reconstitution of schools/districts is seen as a dramatic action, it is becoming more popular across the nation. One must be careful to recognize that reconstitution has no universal definition and, therefore, varies in its implementation. However, most states agree that reconstitution includes creating a new philosophy and making severe staffing changes. Some state policies define reconstitution as the restructuring of school leadership, i.e., replacing a superintendent, school principal, and other school/district administrators. Others identify it as the mandatory redesign of a school/district's curriculum and instructional practices, while a few policies use reconstitution to mean a state takeover of school governance. Displaced staff may sometimes reapply for their old jobs, but they must be in line with the new philosophy and educational program. Many are instead placed in equal positions elsewhere in the district. Much of the attention and controversy over the use of reconstitution is based on these efforts to completely disband and replace existing school/district staff.

Most states agree that reconstitution includes creating a new philosophy and making severe staffing changes.

Currently, 28 states have enacted policies that allow them to reconstitute or replace staff in schools/districts as a sanction for inadequate performance. This is more than a 60% increase from the number of states with reconstitution policies just five years ago. Most state

policies stipulate that a school/district must have been on probation or warning to improve for a minimum of two years before reconstitution can occur; however, other policies allow states to take quick action. For example, Ohio has only a 90-day warning period and Oklahoma only requires six months of non-improvement before potentially reconstituting schools in their state.

As far back as 1984, the San Francisco Unified School District used reconstitution to improve schools, although this initially resulted from a court ruling on a desegregation case. Many lauded the school improvements, and in 1993, ten additional schools were reconstituted in San Francisco. However, teachers in one San Francisco high school called the threat of reconstitution a "degrading process" that has "sent morale down the tubes." [2] Similarly, others across the nation have argued that reconstitution blames teachers for school failure while doing little to solve underlying problems that contribute to low performance such as test discrimination, inadequate resources, and deteriorating facilities. Those who argue for reconstitution see it as stimulating improvement in low-performing schools and throughout the entire educational system. A principal in a Maryland school saw reconstitution as "an opportunity for leveraging change . . . to motivate teachers . . . to do things differently . . . to empower us." [3]

Others across the nation have argued that reconstitution blames teachers for school failure while doing little to solve underlying problems that contribute to low performance such as test discrimination, inadequate resources, and deteriorating facilities.

The Education Commission of the States studied school and district accountability policies across the nation in July 1998 and again in August 2000.[4] Reconstitution was one of the issues examined. Views from proponents and opponents of reconstitution, and the experiences of schools that have been reconstituted, highlight the need for serious consideration before establishing reconstitution policies and implementing this sanction. Although some anecdotal evidence suggested that reconstitution efforts have removed ineffective staff members and brought in staff who are eager to take on the challenge of working in chronically unsuccessful schools, the anticipated gains in student achievement scores and other student performance indicators have been sporadic. However, the increased use of achievement and other student performance data to bolster accountability efforts and redirect instructional practices have been seen as a major step in the right direction. Additional evidence indicated that reconstitution has brought a "much-needed sense of order and stability to some schools, along with an increase in parent and community involvement."

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It is disappointing that research on the effects of reconstitution, like many other sanctions for low-performing schools/districts, is so very limited. The U.S. Department of Education identified the following factors that state and district leaders should consider when deciding to incorporate reconstitution as a sanction for failing schools:

- The overall impact of reconstitution on motivation may be either positive or negative depending upon the circumstances.
- The stakeholders should deem the process and solutions legitimate before proceeding, e.g., a process for equal decision-making of all stakeholders.
- The reconfiguration of schools may require breaking up a large school into several smaller schools or combining several schools within a neighborhood.
- The legacy of failure in a school/district was most likely developed over a long period of time and may persist after reconstitution. Breaking patterns of failure that have become entrenched takes time.[5]

Additional questions to consider when establishing reconstitution as a sanction for low-performance have been posed by the Education Commission of the States, in its recent study of accountability.[6] Organized into four clusters, they are:

Criteria

1) What are the characteristics of high- and low-performing schools? How can these factors be measured?
2) What are the criteria for identifying schools eligible for reconstitution? Are clear standards enforced consistently across a state or school district? How often is school performance monitored (e.g., every year, every 3-5 years)?

Reconstitution Decisions

1) Are other steps, such as remediation or probation, necessary before reconstitution? How much time should be given to schools to correct their problems before being reconstituted?
2) Can the state or school district provide the support or assistance that the schools need?
3) Are there different results in state- vs. school district-initiated reconstitutions?
4) Are there other approaches that might be more effective and efficient than reconstitutions in improving the performance of low-performing schools?

Implementing Reconstitutions

1) How are reconstitution efforts financed?
2) How can reconstitutions generate and sustain improved instruction?
3) Can teachers reapply for their jobs? What happens to displaced teachers? Should they be allowed to work elsewhere in the school district?

Long Term Changes

1) Beyond the immediate crisis, how do states and school districts improve the ability of school staff to work more effectively?
2) How can states and school districts attract top quality staff to high need schools?

School/District Takeover

Takeover, whether by the state or a private entity, is seen as the ultimate sanction for unsuccessful schools/districts. Generally, takeovers occur after assistance and all other sanctions have been implemented, but student performance remains unacceptable for several years. Student performance is only one reason a takeover may occur. Other factors may include fiscal mismanagement, inadequate administration, and corrupt governance within the school district. Currently, 27 states have enacted policies that allow them to takeover schools/districts as a sanction for inadequate performance and nine states allow for takeovers by private entities. Several states enacted school district takeover policies toward the late 1980's; however, a substantial increase in the number of states authorizing this sanction has occurred over the past five years ago.

Generally, takeovers occur after assistance and all other sanctions have been implemented, but student performance remains unacceptable for several years.

In a takeover, the State Legislature, the State Board of Education, or a federal court charges the State Department of Education or another designated entity with managing a school/district for a specified period of time. Nationally, the amount of state control and

local influence has varied. For example, Michigan and New Jersey have completely replaced school board members and high-level administrators to manage failing school districts. In Illinois and West Virginia, oversight or advisory committees have been created. States including Maryland, Massachusetts, and Ohio have handed over governance authority to city mayors for failing schools/districts under their jurisdiction. In California, Colorado,and Connecticut private enterprises, such as the Tesseract Group and the Edison Project, have been given governance authority over some of their failing school districts.

To-date, school/district takeovers have been found to have inconsistent results for student performance

There is a paucity of research on the effects of school/district takeovers, as there is on reconstitution. To-date, school/district takeovers have been found to have inconsistent results for student performance, i.e., increases in 4th grade reading and decreases in 8th grade math.[7] Generally, student achievement remains inadequate after a takeover. While in Illinois and West Virginia, state takeovers have illustrated increased student performance, improved management, and decreased fiscal problems. To the contrary, it has been found that some school systems are worse off than they were before the takeover. This occurred in Detroit, Michigan and Newark, New Jersey. Contracts between the state and private companies appointed to takeover school districts in Connecticut and Maryland were revoked after the takeover attempts resulted in increased problems.

The Education Commission of the States findings indicated that state takeovers are more successful in central office activities than in classroom instructional practices.[8] Further, they identified the following positive results for failing schools/districts:

- Eliminating nepotism within a school district's decision-making processes
- Improving a school district's administrative and financial management practices
- Removing the threat of teachers' strikes within a school district
- Upgrading the physical condition of schools within a school district
- Implementing innovative programs within a school district, such as small schools programs and cooperative arrangements between schools and social service agencies (p. 2).

Additionally, the Education Commission of the States poses questions to consider when establishing takeover as a sanction for low-performance.[9] They are:

Criteria

1) What are the characteristics of high- and low-performing school districts and schools? How can these factors be measured?
2) What criteria are used to identify school districts and schools eligible for state takeovers? How often is school district and school performance monitored (e.g., every year, every 3-5 years)?

Takeover Decisions

1) Should a state take over a low-performing school district or school? If so, at what point does a state intervene? Are there other approaches that are more effective and efficient than a state takeover in improving school district and school performance?
2) Do state education departments have the expertise and resources to run a school district or school? Can the state provide the necessary support and assistance to low-performing school districts and schools? How do state departments of

education balance their oversight role with their operating role in a credible and objective manner?

3) If officials in low-performing school districts and schools are given the same authority as state-selected officials, such as the ability to remove collective bargaining agreements and change staff, can they improve the school district's or school's performance?

Implementing State Takeovers

1) How does a state set goals for its takeover efforts? How does a state fund a takeover?
2) How can the state focus its efforts toward generating and sustaining improved instruction?
3) Will the state involve school district policymakers, administrators, teachers, students and parents in their reform efforts? Within a state takeover, what are the roles of these various groups?

Ending a State Takeover

1) How do states determine whether students are making sufficient progress to allow control to revert back to local officials?
2) How much time should states give school districts and schools to improve? When and under what conditions should a state withdraw from a school district or school?
3) If a state takeover fails to yield sufficient improvement in student achievement in the specified time, what is the next step?
4) Once a state ends a takeover, how does it prevent the school district or school from backsliding?

Long Term Changes

1) Beyond the immediate crisis, how does a state improve the ability of local people, from school board members to teachers, to work more effectively?
2) What is the state's role in assisting school districts and schools before they are in crisis?

Conclusion

The need for more research on the effectiveness of corrective action to improve low-performing schools/districts is widely evident. As noted in *Turning Around Low-Performing Schools: A Guide for State and Local Leaders*, several lessons have already been learned from schools/districts that have experienced some of the sanctions described earlier. Consideration should be given to these in establishing and implementing any corrective action in low-performing schools:

- Strong leadership at the school site is essential.
- Successful rebuilding of a low-performing school appears to require a very clear break with past practices at that site.
- High expectations and collective responsibility for student learning must be at the heart of the rebuilding effort.

- Professional development and capacity-building are the key to success.
- Unintended consequences may occur, so beware.
- The role of the district and state leadership is pivotal in determining the success of reconstituted schools.[10]

The problem that continues to exist is that states are required to ensure every child receives an adequate and appropriate education, but solutions to-date are unreliable. How can effective decisions be made when the results are so inconclusive? Policies that incorporate the provision of material and human resources and establish a climate of support and leadership seem to have a much better chance of improving student performance. Continuing to try alternatives to assist and correct school/district problems of low-performance seems critical, while at the same time evaluating our efforts and broadening our thinking about school accountability and measuring student success.

Policies that incorporate the provision of material and human resources and establish a climate of support and leadership seem to have a much better chance of improving student performance.

Endnotes

[1] Accreditation policies were legislated to monitor the entire school structure, with student performance as only one element. A school board determination of a school's accreditation status is the main objective of this system.
[2] U.S. Department of Education. (1998). *Turning around low-performing schools: A guide for state and local leaders*. Washington, DC. U.S. Government Printing Office, p. 46.
[3] U.S. Department of Education. (1998), p. 46.
[4] Education Commission of the States. (2001). Quality Counts 2001: A better balance. *Education Week*. Bethesda, MD, p. 5.
[5] U.S. Department of Education. (1998).
[6] Education Commission of the States. (2001), p. 5-6.
[7] McRobbie, Joan. (Spring 1998). *Can state intervention spur academic turnaround?* San Francisco, CA: WestEd.
[8] Education Commission of the States. (2001).
[9] Education Commission of the States. (2001).
[10] U.S. Department of Education. (1998).

Table 1
Corrective Action and Accountability Systems in Schools and/or School Districts

State	Corrective Action Plan	Accountability Ranking System	Basis for Ranking Other Than Achievement Test Scores		
			Accreditation	*Attendance*	*Dropout*
Alabama	✓	✓			
Alaska	2002	2002			
Arizona	2002				
Arkansas	✓	✓		✓	✓
California	✓	✓		✓	
Colorado	✓	✓			
Connecticut	✓	✓			
Delaware	✓	✓	✓		
Florida	✓	✓		✓	✓
Georgia	✓	2004			
Hawaii					
Idaho					
Illinois	✓	2002			
Indiana	✓	✓	✓	✓	✓
Iowa	✓				
Kansas	✓	✓	✓	✓	✓
Kentucky	✓	✓		✓	✓
Louisiana	✓	✓		✓	✓
Maine					
Maryland	✓	✓		✓	✓
Massachusetts	✓	✓		✓	✓
Michigan	✓	✓	✓		
Minnesota					
Mississippi	✓	2003			
Missouri	✓	✓		✓	✓
Montana					
Nebraska					
Nevada	✓	✓		✓	
New Hampshire					
New Jersey	✓	✓		✓	✓
New Mexico	✓	✓		✓	✓
New York	✓	✓			✓
North Carolina	✓	✓			✓
North Dakota					
Ohio	✓	✓		✓	✓
Oklahoma	✓	✓			
Oregon	✓	✓		✓	✓
Pennsylvania	✓	✓		✓	
Rhode Island	✓	✓			

Table 1 (Continued)

State	Corrective Action Plan	Accountability Ranking System	Basis for Ranking Other Than Achievement Test Scores		
			Accreditation	*Attendance*	*Dropout*
South Carolina	✓	✓		✓	✓
South Dakota					
Tennessee	✓	✓		✓	✓
Texas	✓	✓		✓	✓
Utah		2004			
Vermont	✓	✓		✓	✓
Virginia	2002	✓	✓		
Washington					
West Virginia	✓	✓	✓	✓	✓
Wisconsin		✓			
Wyoming					
TOTAL	**34**	**30**	**6**	**21**	**20**

The data for Table 1 was obtained from the following sources:

1) Education Commission of the States. (2001) Quality Counts 2001: A better balance. *Education Week*. Bethesda, MD. http://www.edweek.org

2) Elmore, R., Siskin, L., & Carnoy, M. (2000). *Accountability for results*. Consortium for Policy Research in Education. Philadelphia: University of Pennsylvania. http://www.gse.upenn.edu/cpre/frames/resrch.html

3) Southwest Educational Development Laboratory. (August 2000). "Tough Love": State accountability policies push student achievement. *Insights on Education Policy, Practice, and Research*. Austin, TX. http://www.sedl.org/pubs/

Table 2
Assistance for Low-Performing Schools and/or School Districts

	Self-Study	Public Hearing	Commissioner Review	Assistance Team	Staff Development
Alabama	✓			✓	✓
Arkansas	✓	✓		✓	✓
California		✓	✓	✓	
Colorado				✓	
Connecticut			✓	✓	
Delaware		✓	✓	✓	✓
Florida				✓	✓
Georgia				✓	✓
Illinois	✓			✓	
Indiana				✓	✓
Iowa	✓				
Kansas	✓			✓	
Kentucky				✓	✓
Louisiana	✓	✓		✓	✓
Maryland			✓	✓	✓
Massachusetts	✓		✓	✓	✓
Michigan				✓	✓
Mississippi		✓	✓		
Missouri				✓	✓
Nevada		✓	✓	✓	✓
New Jersey		✓	✓		✓
New Mexico		✓	✓	✓	✓
New York		✓	✓	✓	✓
North Carolina				✓	✓
Ohio		✓			
Oklahoma				✓	
Oregon				✓	✓
Pennsylvania		✓			
Rhode Island				✓	
South Carolina		✓	✓	✓	✓
Tennessee			✓	✓	✓
Texas		✓	✓	✓	✓
Vermont	✓	✓	✓	✓	✓
West Virginia			✓	✓	✓
TOTAL	8	14	15	29	23

The data for Table 2 was obtained from the following sources:

1) Education Commission of the States. (2001) Quality Counts 2001: A better balance. *Education Week*. Bethesda, MD. http://www.edweek.org
2) Elmore, R., Siskin, L., & Carnoy, M. (2000). *Accountability for results*. Consortium for Policy Research in Education. Philadelphia: University of Pennsylvania. http://www.gse.upenn.edu/cpre/frames/resrch.html
3) Southwest Educational Development Laboratory. (August 2000). "Tough Love": State accountability policies push student achievement. *Insights on Education Policy, Practice, and Research*. Austin, TX. http://www.sedl.org/pubs/
4) Mathers, J. (April 1999). *Education Accountability Systems in the 50 States*. Education Commission of the States. Denver, CO. http://www.ecs.org

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Table 3
Corrective Action Sanctions for Low-Performing Schools and/or School Districts

State	Loss of Accreditation	Reconstitution/ Replacement of Staff	State Takeover	Student Transfer to Different School	Privatization/ Charter School	Use of Vouchers
Alabama		✓	✓			
Arkansas		✓	✓			
California		✓	✓	✓	✓	
Colorado	✓	✓	✓	✓	✓	
Connecticut		✓	✓	✓	✓	
Delaware	✓	✓				
Florida		✓		✓	✓	✓
Georgia		✓	✓	✓	✓	
Illinois		✓	✓			
Indiana	✓					
Iowa	✓					
Kansas	✓	✓				
Kentucky			✓			
Louisiana	✓	✓		✓		
Maryland		✓	✓			
Massachusetts		✓	✓		✓	
Michigan	✓	✓	✓	✓	✓	
Mississippi	✓	✓	✓			
Missouri	✓	✓	✓			
Nevada		✓	✓			
New Jersey		✓	✓			
New Mexico	✓	✓	✓			
New York	✓	✓	✓	✓	✓	
North Carolina	✓	✓	✓			
Ohio		✓	✓			
Oklahoma	✓	✓	✓	✓		
Oregon						
Pennsylvania			✓	✓	✓	
Rhode Island	✓	✓	✓		✓	
South Carolina	✓	✓	✓		✓	
Tennessee			✓			
Texas		✓	✓	✓	✓	
Vermont	✓	✓	✓	✓		
West Virginia	✓	✓	✓	✓		
TOTAL	**17**	**28**	**27**	**13**	**12**	**1**

The data for Table 3 was obtained from the following sources:

1) Education Commission of the States. (2001) Quality Counts 2001: A better balance. *Education Week*. Bethesda, MD. http://www.edweek.org
2) Elmore, R., Siskin, L., & Carnoy, M. (2000). *Accountability for results*. Consortium for Policy Research in Education. Philadelphia: University of Pennsylvania. http://www.gse.upenn.edu/cpre/frames/resrch.html
3) Southwest Educational Development Laboratory. (August 2000). "Tough Love": State accountability policies push student achievement. *Insights on Education Policy, Practice, and Research*. Austin, TX. http://www.sedl.org/pubs/
4) Mathers, J. (April 1999). *Education Accountability Systems in the 50 States*. Education Commission of the States. Denver, CO. http://www.ecs.org

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